REMARKS

Claims 2, 6-9, 16-34, 37-42, 44-53, 56-62 are in the case.

No Claims were cancelled.

Claim 28 was amended to better claim the invention.

No new Claims were added.

Please enter and consider the Amendment filed on 17 August 2007, with the correction to Claim 28 set out hereinbelow.

The claims, as set forth hereinabove, have incorporated the amendments made in the Amendment filed on 17 August 2007, except that Claim 28 has been corrected, as required.

Request for Interview

The Applicant respectfully requests a telephonic interview with the Examiner after the Examiner has had an opportunity to consider this Amendment, but before the issuance of the next Office Action. The Applicant may be reached at 617-951-3028.

In the Office Action mailed on October 31, 2007, the Examiner stated

"As per claim 28, the amendment is non-compliant as required by 37 CFR 1.121©, the marking of the claims text of adding and deleting is incorrect.."

Claim 28 has been re-written to correct the marking of adding and deleting. Further, Claim 28 has been amended to better claim the invention. The adding and deleting and amending is done with respect to the claim as presented in the Amendment filed on January 29, 2007.

Applicant respectfully urges that Claim 28 is in condition for allowance. Applicant's claimed invention as set forth in representative Claim 28, comprises in part:

28. A system for distributing data over a plurality of network links within a computer network, comprising:

    means for providing the plurality of links as a connection to a network node;

    means for selecting one link of the plurality of links for transmitting a datagram to the network node (hereinafter the selected link) using a round robin selection technique, the data identified by an Internet protocol (IP) identifier (ID), the IP ID indicating an end point destination for the data;

    means for apportioning the datagram into a plurality of fragments;

    means for associating each fragment of the plurality of fragments to the selected link on the basis of the IP ID; and

    means for transmitting the plurality of fragments over its associated link to transmit fragments of the data over the same associated link.

Applicant respectfully urges that Claim 28 is in condition for allowance in view of all cited art.

At Paragraphs 9 – 19 of the Office Action mailed on April 18, 2007, claims 1, 9-11, 16, 30, 32, 52, and 55 were rejected under 35 U.S.C. 102(e) as being anticipated by Mankude et al. U. S. Patent No. 6,795,866 issued September 21, 2004 (hereinafter Mankude).

Mankude discloses an intermediate network node which receives fragments of data packets and reads an identification number from the fragment. In the event that the identification number is registered with the node, the node immediately forwards the packet. In the event that the identification number is not registered, the node places the fragment in a buffer and waits until another fragment having the same identification and a destination IP address is received, and then forwards the another fragment, along with all fragments held in the buffer, through a link to the destination IP address.

Applicant respectfully urges that Mankude and all other cited art do not anticipate the presently claimed invention under 35 U.S.C. 102(e) because of the absence in Mankude and all other cited art of any disclosure of Applicant's claimed novel

means for apportioning the datagram into a plurality of fragments;

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means for associating each fragment of the plurality of fragments to the se-
lected link on the basis of the IP ID; and

means for transmitting the plurality of fragments over its associated link to
transmit fragments of the data over the same associated link.

Applicant respectfully urges that Mankude and all other cited art have no disclo-
sure of Applicant's claimed *means for apportioning the datagram into a plurality of*
fragments.

Further, Applicant respectfully urges that Mankude and all other cited art have no
disclosure of Applicant's claimed *means for associating each fragment of the plurality*
of fragments to the selected link on the basis of the IP ID.

And then finally, Applicant respectfully urges that Mankude and all other cited art
have no disclosure of Applicant's claimed novel *means for transmitting the plurality of*
fragments over its associated link to transmit fragments of the data over the same asso-
ciated link.

All independent claims are believed to be in condition for allowance.

All dependent claims are dependent from independent claims which are believed to be in condition for allowance. Accordingly, all dependent claims are believed to be in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

/A. Sidney Johnston/
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